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SCREENING THE SYSTEM

Screening the System

*Exposing Security
Clearance Dangers*

MARTHA LOUISE DEUTSCHER

POTOMAC BOOKS

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INTRODUCTION

This book critically examines the personnel security clearance system, the process by which the federal government incorporates individuals into secret national security work, and how individuals experience the process. I pay particular attention to the ways in which security clearance practices discipline and transform individuals who are subject to them. Using the voices of the system's participants, I explore the relationship between individual workers and state power as articulated in the personnel security clearance process.

I believe the public debate on security policy in general—and on the personnel security clearance system in particular—requires a new and more imaginative discussion if it is to improve. Discussions to date have been dominated by bureaucrats, security professionals, and politicians, who tend to treat the problems in the system with the same archaic policies and practices they have used in the past—with the same flawed results.

To the best of my knowledge, this is the only study to date that examines the impact of the national personnel security clearance system on the hearts and minds of both those who are subject to it and those who are tasked to maintain it. Although the book is based on my doctoral dissertation at George Mason University, I undertook this study for personal reasons. All science is part biography. I began my civil service career in 1990 with the United States Information Agency and held positions of increasing responsibility

in the Departments of State and Defense continuously until I retired from federal service in 2013.

During that time, I held and maintained security clearances at various levels and was subject to the system I describe. I have been investigated and interviewed (although never polygraphed), and I participated in the investigation of others during federal service. I never lost a clearance or had one revoked.

My federal career focused on many aspects of security policy. While at the State Department, I conducted international public diplomacy programs for the Voice of America and for the U.S. Agency for International Development.

At the Defense Department, one of my positions was legislative and public affairs director for the Department of Defense Security Service, the entity responsible for administering the National Industrial Security Program. That program administers the security clearance processes for the U.S. defense industry and the contractors employed within it. As the chief communications officer for the agency, my contact information was online, and I was easy to find. Many people called me with complaints about having lost a security clearance and consequently their jobs. I listened to their stories. I heard anger, fear, anxiety, and a full mix of human sentiment. Such emotion suggested to me at the time that the hurt resulting from losing one's security clearance was more than financial. The more I listened, the more I learned that one loses more than a career when one loses a clearance. I began to realize that I wanted to learn more about what had befallen these workers. So I undertook to study the clearance system by talking with those who had run afoul of it.

I begin with a brief history of perceived national security threats in the United States and the policies that were put in place to address them. These threats have at times included specific subsets of Americans, including government employees. I also review some of the many types of human threats that the clearance system is designed to reduce.

I then turn to the processes by which individuals are inducted into national security jobs. To describe the system, I use documentary sources from federal government websites, including those

of the United States Departments of Defense, State, Treasury, Agriculture, and Homeland Security. I also reference legislation, executive orders, policy guidance and government security handbooks, and other such materials. Next I review the mechanisms used to process individuals through the clearance system. I also draw on some examples, from contemporary news reporting, of how the system sometimes fails those within it. I employ news reports as secondary sources; approached with judicious caution, they provide context to some of the debate surrounding the personnel security clearance process. And I have tried to choose the most reliable reporting.

We currently lack a scientifically rigorous and consistent way of judging people. Much of the clearance process has proven to be flawed. For this reason, trustworthy employees are sometimes wrongly removed from federal positions while spies and other potential threats remain in their jobs undetected.

I interviewed people over a two-year period about their experiences with the national personnel security clearance system. I interviewed individuals who ran afoul of the system, some of whom lost their clearances. I also interviewed those who support them—lawyers, family members, and counselors. In addition, I interviewed security practitioners and specialists and other individuals who currently hold a clearance, and I used the transcripts of these interviews to bolster my observations.

I also tried to glean from the interviews what people's individual experiences can teach us about the power relationship between the individual and the state. The interviews are intimate glances into personal experiences, but they demonstrate larger societal structures at work in the areas of national security and state power. The study investigates, through documentary sources and interviews, how the security clearance process was shaped and also how it shapes identity. All interviews were conducted in confidence. To maintain my interview subjects' anonymity, I have used pseudonyms in quoting their responses and describing their experiences.

I make no claims to have selected a representative sample. While I am aware of the methodological limitations of my process, I believe, based in part on my own experience working for the federal

government, that what these people have articulated illuminates the complex power relationship between individuals and the state that they swore to serve. Most federal workers never lose a security clearance, so these individual experiences are not the standard.

Descriptions of being “blacklisted” by one’s community are a poignant reference to one of our country’s darker moments, the anti-Communist hysteria of the 1950s now known as the Red Scare.¹ Mention by some respondents of “wearing a scarlet letter” after losing a clearance is another singularly American reference, both literary and historic. The Puritanism of Nathaniel Hawthorne’s novel *The Scarlet Letter*, and which Max Weber observed underlying the spirit of capitalism, also infuses individuals within the personnel security clearance system (which falls squarely within that capitalist system) with the sense of dread that accompanies misplaced or erroneous societal judgment and corresponding punitive measures.²

Workers who personally experience the imbalance of power between the individual and the state do not soon forget it. Fiction writers, including Hawthorne, Franz Kafka, Arthur Miller, and Joseph Heller, provide artistic insights into this very real social drama.³ My informants agree that the system should undergo improvements, but almost all believe that such a system is necessary. Their concurrence speaks eloquently to the underlying American belief in national security and the state’s need to keep secrets, as articulated in the national personnel security clearance system. This belief is held firmly even by those to whom the system has been unkind.

I conclude by offering some recommendations based on what I learned from my research. By critiquing the personnel security clearance system, my aim is not to imply that a national security apparatus is not important. Nation-states have a legitimate need for secrets and secrecy. But I have come to believe that the personnel security clearance apparatus, like other bureaucracies of power, has a tendency to outgrow its legitimate need. Part of the reason secrecy is problematic is that secrets are so hard to keep. So in addition to the flaws in the current system, the sheer number of clearance holders is, in and of itself, a threat. Without denying the need for some

kind of secrecy bureaucracy, I explore the defects of that bureaucracy, which include a proclivity for capriciousness, imprudence, prejudice, unfairness, and intimidation. By interviewing people who have dedicated their careers to the service of their country, I learned how they react when the national security apparatus of a country founded on constitutional rights and due process eschews those values in the treatment of its own employees. The research suggests that such practices within the security clearance system may contribute to the insecurity that the system is designed to mitigate. What happens when a process constructed around tropes of rationality turns irrational? What happens when the national security apparatus of a country dedicated to constitutional rights and due process denies the due process rights of its own employees? How do people who have given their careers to the service of their country's ideals react when, in the name of those ideals, they see their careers destroyed by the rejection of those same ideals? How do systems of security promote insecurity? These are the questions explored in the succeeding chapters.

I hope that this study contributes to a more robust understanding of the role of individuals in the security clearance process and enhances future discussions of improvements to the process.